



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Stephen FODOR *et al.*

Group Art Unit: 1637

Examiner: H. Calamita

For: IDENTIFYING A BASE IN A NUCLEIC ACID

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place, Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment under 37 CFR § 1.116 responding to the Office Action dated April 20, 2004.
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$110.00.

08/23/2004 EAREGAY1 00000032 500310 09776768
001 FC:1251 110.00 DA

If an additional extension of time is required, please consider this a Petition therefor.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	24	0	x \$18 each =	+ \$
Independent Claims (37 C.F.R. §1.16(b))	1	minus	4	0	x \$86 each =	+ \$
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

5. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$110.00** to Deposit Account 50-0310 for the one month extension of time.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: Bonnie Weiss McLeod
Bonnie Weiss McLeod
Reg. No. 43,255

Dated: **August 20, 2004**

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PATENT
ATTORNEY DOCKET NO. 056297-5009-A

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stephen FODOR <i>et al.</i>)	
)	
Application No.: 09/776,768)	Group Art Unit: 1637
)	
Filed: February 6, 2001)	Examiner: H. Calamita
)	
For: IDENTIFYING A BASE IN A)	
NUCLEIC ACID)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT AND REPLY TO OFFICE ACTION

This amendment is filed in response to the Office Action mailed April 20, 2004, the period for response to which extends through July 20, 2004. An extension of time for one month is being filed concurrently, thereby extending the period for response to August 20, 2004. Please amend the above-identified application as follows: